

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PASTOR ISABEL VELA,

Plaintiff,

v.

STATE BAR OF CALIFORNIA, et al.,

Defendants.

No. 1:23-cv-01638 JLT BAM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING
CLAIMS AGAINST DEFENDANT STATE
BAR OF CALIFORNIA WITH PREJUDICE,
DISMISSING FEDERAL CLAIMS AGAINST
DEFENDANT EMERLY CRUZ WITH
PREJUDICE, AND DECLINING
SUPPLEMENTAL JURISDICTION OVER
ANY PURPORTED STATE LAW CLAIMS**

(Docs. 9, 11)

Pastor Isabel Vela, proceeding pro se and in forma pauperis, initiated this civil rights action on November 22, 2023. (Doc. 1.) On December 27, 2023, the assigned magistrate judge screened Plaintiff's complaint and granted her leave to amend. (Doc. 7.) Plaintiff filed a first amended complaint on January 10, 2023. (Doc. 9.)

On May 1, 2024, the magistrate judge screened Plaintiff's first amended complaint pursuant to 28 U.S.C. § 1915(e)(2). The magistrate judge issued Findings and Recommendations that recommended (1) Plaintiff's claims against the State Bar of California be dismissed with prejudice as barred by the Eleventh Amendment; (2) to the extent the individual State Bar defendant, Emerly Cruz, was not entitled to immunity or the requested relief was not barred, Plaintiff's federal claims against her be dismissed with prejudice for failure to state a claim upon

1 which relief may be granted; and (3) the Court decline to exercise supplemental jurisdiction over
2 any purported state law claims against the individual State Bar defendant. (Doc. 11.)

3 The Court served the Findings and Recommendations on Plaintiff and notified her that
4 any objections were due within 14 days. (Doc. 11 at 9-10.) The Court also informed Plaintiff
5 that “the failure to file objections within the specified time may result in the waiver of the ‘right
6 to challenge the magistrate’s factual findings’ on appeal.” (*Id.*, quoting *Wilkerson v. Wheeler*, 772
7 F.3d 834, 839 (9th Cir. 2014).) No objections have been filed and the time in which to do so has
8 passed.

9 According to 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a *de novo* review of the
10 case. Having carefully reviewed the entire file, the Court finds that the Findings and
11 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 12 1. The findings and recommendations issued on May 1, 2024 (Doc. 11) are
13 **ADOPTED**.
- 14 2. Plaintiff’s claims against the State Bar of California are **DISMISSED** with
15 prejudice.
- 16 3. Plaintiff’s federal claims against Defendant Emerly Cruz are **DISMISSED** with
17 prejudice for failure to state a claim upon which relief may be granted;
- 18 4. The Court declines to exercise supplemental jurisdiction over any purported state
19 law claims against Defendant Emerly Cruz, and those claims are **DISMISSED**
20 without prejudice.
- 21 5. The Clerk of the Court is directed to close this case.

22
23 IT IS SO ORDERED.

24 Dated: May 24, 2024


UNITED STATES DISTRICT JUDGE